



Case No. ELITRA.011A
Date: September 22, 2004

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of : Hasselbeck et al.
App. No. : 09/815,242
For : IDENTIFICATION OF ESSENTIAL
GENES IN PROKARYOTES
Filed : March 21, 2001
Examiner : Terra C. Gibbs
Group Art Unit : 1635

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Board of Patent Appeals and Interferences, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 22, 2004

(Date)

Jerry L. Hefner, Reg. No. 53,009

Board of Patent Appeals and Interferences
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 22, 2004 of the Primary Examiner finally rejecting Claims 12, 31, 45-69 and 71-102. The items marked below are appropriate:

- (X) A response to the Final Office Action is attached in 6 pages.
- (X) Exhibits A-E in 14 pages.

Filing Fee:

- (X) \$330 (large entity)

Time Extension Fee (if applicable):

- (X) three months (\$950 large entity)
- (X) Enclosed is a check in the amount of \$1,280.
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